CONTAINING ON PAGE 14 CLOSING NEW YORK STOCK QUOTATIONS.

No. 18,534.

WASHINGTON, D. C., MONDAY, JUNE 26, 1911-EIGHTEEN PAGES.

ONE CENT.

# TO ALASKAN TITLES Alleged Request to Aid the Getting Insight Into Capital's

Cunningham Claims to Coal Lands Disallowed by Secretary of Interior.

CASE CAUSE OF FRICTION **MORE THAN TWO YEARS** 

Morgan-Guggenheim Syndicate Alleged to Have Proceeded Illegally.

CLAIMANTS MAY TAKE APPEAL

Which Caused Dismissal of Gifford Pinchot and L. R. Glavis From Office.



SECRETARY FISHER.

dicate had planned to extend their vast interests in Alaska and to control one of sonally. the most valuable coal fields in the world, were today finally disallowed by factor opposed to the International Harthe Department of the Interior. Secretary of the Interior Walter L.

Fisher, having approved the department's decision, as handed down by Fred Dennett, commissioner of the land office. the last door is believed to have been Mr. Funk. He said the meeting occurred Their attorneys have threatened an appeal to the United States Supreme Court,

The Cunningham claims have been in the public eye constantly for more than two years past. They brought about the Ballinger-Pinchot investigation by Congress and the dismissal from the public service of Chief Forester Gifford Pinchot. Louis R. Glavis, a chief of field division in the land office, and several minor officials. Both Messrs. Pinchot and Glavis were dismissed for insubordination incident to their attacks on former Secretary Ballinger, who they claimed was favorably disposed toward the claims.

Statement by Secretary Fisher.

In announcing the decision of the deartment today Secretary Fisher, who succeeded Mr. Ballinger in March last, de- Senator Lorimer's name mentioned developed properly. In a statement the the Harvester company.

ham claims so far as the Department of the Interior is concerned. Any further pany was interested in closing the Chiproceedings will be merely formal for the cago river, which flowed through his compurpose of perfecting the record in case pany's plant. He said the Edward Hines the claimants think there are questions of law which they desire to present to the courts. It is my understanding that it is of deepening the river. onceded that the findings upon the facts

by the department are conclusive. It is the intention of the department to proceed at once to a final determination

plicable to coal lands in Alaska are wise or practicable laws. Nevertheless their Hines three or four years. On one octhe public welfare against the abuse of had been no difficulties between Mr. Hines I sincerely trust that those panies as far as he knew. aws will be modified at the next session | Discussing his relations with Mr. Hines, of Congress, so as to permit the develop- Mr. Funk said: "Allowing for differences ment of the Alaskan coal fields under of tempermanent, he was cordial to me provisions that will more adequately pro-tect and promote the public interest. If, explained that Mr. Hines was probably however, there are claims now pending more genial than himself. which under the existing law are entitled to patent, I see no justification for not taking action upon them as promptly as the department can be assured that it is in possession of the facts upon which Edward Hines?" finally asked Attorney you will understand what I mean, but such action must ultimately be taken."

Commissioner Dennett, in his decision holding the claims for concellation on the ground of fraud, declares that each of the thirty-three entries was improperly allowed because of fatal defects apparent on their face. He asserts that the and that there is no doubt but that an agreement existed among them in viola-

The thirty-three claims involved amounted to an aggregate area of 5,250 Mr. Funk, "you are just the man I want acres. The value of the land has been to see.". The witness explained that said, "head, hand and heart. Train them to see.". The witness explained that said, make the children broad and not estimated high in the millions. The coal he was not repeating the exact words all, make the children broad and not embraced in the claims is said to be among the finest in the world. Commissioner Dennett makes frequent reference to the work of Glavis in prose- Marble. uting the government's case against the

Cunningham claimants. He also refers at Funk told how the two men sat down length to the negotiations between Cunn ngham and representatives of the Guggenheims, who were shown at the Balinger-Pinchot hearing to have taken an option on these coal lands, which were to be worked in connection with the other extensive Guggenheim interests in Alaska. The government charged against Cunningham and his associates that their entries of the coal land were made in pursuance of an understanding and agree-ment, entered into by all the claimants prior to location, to combine the several claims for the joint use and benefit of all. It was further claimed that the entries were made with the unlawful purpose that they should inure to the use and

benefit of an association or corporation.

After reviewing all the facts brought out at the various trials and hearings in the case, extending over a period of several years and including the final hearing recently attended by Secretary Fisher (Continued on Third Page.)

DECISION ADVERSE FUNK TELLS OF TALK DR. DAVIDSON HERE

Lorimer Election Fund.

Testifies Before Senate Investigating Says Teachers Must Understand Committee.

tional Harvester Company the Only Witness Heard.

Clarence S. Funk, general manager of the International Harvester Company, Outcome of Famous Controversy whose account of an alleged request to the Lorimer election fund played an im-Senate Lorimer investigating committee.

Kept in Touch With Politics.

evelop the crucial stage of the inquiry veracity between himself and Mr. Hines as to any request to reimburse hose who raised the \$100,000 "to put

There was intense interest on the part f the committee, the counsel and the pectators as Mr. Funk took the stand to Mr. Funk faced Mr. Hines who had thing about the public schools of Washhe hearing, instead of being required to

joined with his associates, Attorneys Elbridge Hanecey and W. A. J. Hynes of Thicago, in cross examining the witness. John H. Marble of counsel for the combegan Mr. Funk's examination. Mr. Funk testified that as general manager of the harvester concern it was one of his duties to keep in touch with politi-The famous Cunningham Alaskan coal cal affairs. He said that never, to his lands claims, through which it has been knowledge, had the company used money alleged that the Morgan-Guggenheim syn- to get votes in legislatures or Congress. He said that as far as he could he had

"Have you regarded Mr. Lorimer a vester Company?" asked Mr. Marble.

Introduction to Lorimer.

Just how he was introduced to Senator Lorimer was described impressively by who always smiles when he talks. closed to the Cunningham claimants, at a deep waterway convention in Washington about eighteen months ago.

"Mr. Hines came up to Mr. McCormick but such an appeal can be based only on here," explained Mr. Funk. "We talked some point of law involved, and not on for a few moments, when Mr. Hines said the findings of fact as announced by the that Senator Lorimer was in his room and he, Hines, wished we would meet

"What did you do?" asked Mr. Marble. "I looked at Mr. McCormick and Mr. McCormick looked at me and we both looked out of the window. I waited for Mr. McCormick to say something. Finally we went up stairs and were introduced to the senator.' He told of another meeting with Mr

Lorimer. He telephoned the senator to ascertain when a young man named Baker, in whom Charles Deering, a director of the Harvester company, was while I was superintendent at Omaha. interested, would be called upon to take an examination for the West Point Military Academy.

"The senator was very kind occasions," said Mr. Funk. The witness said he had never heard clared that new coal land laws are need- connection with a tax fight on the Mced in Alaska if that territory is to be Cormicks, who are largely interested in

The Chicago River Question.

Mr. Funk told how the Harvester com-Lumber Company probably was in favor

"Did you know Senator Lorimer's attitude toward the river?" asked Senator Kenvon. "I understood he was in favor of deepening the river," was the reply.

Mr. Funk said this did not prejudice him denying those that should be denied, and against Lorimer because "I felt as long five weeks in finding out what other city Justice Gould also held that the statgranting those that should be granted as as the government engineers were opposed

a matter of indifference.' The witness said he had known Mr. and unrestricted private ex- and himself or their respective com-

> Alleged Request for \$10,000. "Do you recall a conversation with Mr.

Mr. Funk then repeated his alleged con- where. I have always remembered it. versation with Mr. Hines in which the request for the ten-thousand-dollar contribu- something toward which I have the greattion is said to have been made. "Just as est sympathy. I met Mr. Stuart in that casual as the sale of a car of lumber," visit, and I can well see how and why was the way Mr. Funk referred to the ington. The children of his schools have government conclusively established the proposition. His story followed substan- learned with their hearts as well as with charges brought against the claimants, Helm investigating committee in Illinois. tially the testimony he gave before the The witness said he met Hines at the Union League Club after Lorimer's elec-

> "'Hello,' " said Hines, according to necessarily, but only giving his recollection of the conversation. "What did you reply?" inquired Mr.

"'Hello,' probably. I don't know." Mr. and he testified that Mr. Hines said: 'Well, we put Lorimer over down at Springfield, but it cost \$100,000 to do it.' The witness added that Hines explained

Mr. Funk said he inquired how much he was getting. "'Well we can only go to a few big people,'" Mr. Funk said Hines replied, "'and if we can get ten to contribute \$10,000 we can wipe it out.'" asked him why he came to us," "I asked him said Mr. Funk.

"He said: 'You are as much interested in having the right kind of a man at Washington as any of us." "I said: 'We are not in that kind of business.' He began to argue about Lorimer. I was anxious to terminate the conversation. I soon got up and left."

Witness Questioned by Committee. A volley of questions was fired at the (Continued on Third Page.)

Public Schools.

HIS INTERVIEW WITH HINES SILENT AS TO HIS POLICY

Hearts of the Children.

MEMBERS VOLLEY QUERIES REASON FOR ACCEPTING PLACE

General Manager of the Interna- Superintendent-Elect Impressed With Local Educational System During Visit Here in 1894.

the child; it is his heart and mind and education revolves. You can theorize him by Edward Hines of Chicago, presi- and talk, but, after all, if the teacher dent of the Edward Hines Lumber Com- and the educator have not the child at pany, for a \$10,000 contribution from the heart, then the system of education is Harvester concern toward reimbursing wrong."-William Mehard Davidson, superintendent-elect of public schools. It was about children that Dr. Davidportant part in bringing about a sec- son talked most this morning, when a ond inquiry, appeared today before the Star reporter caught him before he had even unpacked his grip. Dr. Davidson, coming to Washington today from Omaha, to get his first real insight into the sys-Mr. Funk's testimony was expected to tem of public schools which he will command would not talk about policies, fraternities, curriculum, expenses or anything dull and dry. But he did talk about children, and when the 50,000 Washington school children learn to know Dr. Davidson they will recognize him more than anything else by a certain twinkle in the eye and a smile that stays through-

been given special permission to attend ington. He said this morning that he rar of New Orleans had been added to head of the ever-present colloquy conthe counsel for Lorimer and Hines, and cerning how much it costs to run Washington schools.

Dr. Davidson really does not know a

"But" he said, "I know this much. Washington schools are high grade. They are fine. They are splendid. They are known the country over. I am not spreading taffy, either. I mean what I

#### Impression of Earnestness.

When Dr. Davidson talks he gives one the impression that he means what he is saying. He makes gestures that seem to grip the idea and hand it straight over to you, plain and unvarnished. He has pleasant eyes, and children who feel that the greatest creature alive is the school superintendent will take this new school head to be a pleasant gentleman

porter, as the two walked from the Raleigh Hotel to see Capt. James F. Oyster, president of the board of education, "you know we are having a little flurry here in Washington over high school fraternities. Have you had experience with them?" "Yes, I have. And let me tell you that every community has to handle the matter according to local conditions. There are state laws in the west which control the situation in some places.'

"Are you opposed to high fraternities?" "Now you are asking me a question cannot answer. I do not know whether am opposed to Washington fraternities, for I know nothing about them. In Nebraska a state law has abolished fraternities. The matter was agitated We had fraternities but the state legislature found it best to close them up." From which the fraternity brothers and sorority sisters of the Washington high schools may or may not receive crumbs of comfort.

### Sees Supt. Stuart.

talk about policies until he sees the things that the schools now are doing. He and Supt. Stuart had a long talk this morning. The whole conformation of the hood is he will get it," was a remark District brought suit. made by Capt. Oyster today. "He is

ited schools all over the country. I spent | bill should be paid. public school systems were doing. I came ute of limitations did not run against to closing the river Lorimer's attitude was to Washington then. I can remember the the District in such cases. intangible, almost indefinable something I realized was present when I stepped into the school rooms. There was a feelprovisions must be enforced—first, be-cause they are the law, and second, be-the Harvester company some timber land. There was the love of work, the passion cause they afford the only protection to in Mississippi. He declared that there for work which every teacher seemed to have, and it resulted in a heart-feeling between the children and the teachers. They were nearer together than in any other city anywhere in the United States.

### What He Stands For.

"That was what I had always stood for. always wanted to have the teacher know and feel the child's heart, for it is he child around which the world of education revolves. I do not know whether that atmosphere of a Washington schoolroom is the finest I have ever known anyhave worked toward it, and that is why I came to Washington. I will find here he is called the best loved man in Wash-

Dr. Davidson says that he is not going to hold up the three R's rigidly to the detriment of more modern methods, whereby the reading, 'ritin' and 'rithmetic are mingled with a broader training.
"Rather let us have the three H's," he narrow or finicky. But that would take

hours to talk about. Anyhow, Dr. Davidson says he expects lot from Washington school boys and girls, because they have a fine reputation in the west, where he came from only this morning.

He will be present at the board of education meeting this afternoon, when the board will probably re-elect its officers that they had to act quickly.
"What else," urged Mr. Marble.
"He said: 'Now we are seeing some of to finish up there. He will be back again, the matter fixed up." for the year to come. After that he though, this summer.

FIRE SWEEPS STOCK YARDS.

Twenty-Seven Acres of Pens Burned at Fort Worth. FORT WORTH, Tex., June 26 .- Fire swept through the Forth Worth stock

yards for three hours yesterday, and destroyed twenty-seven acres of pens, three scalehouses, two mammoth hay and feed barns, the loading decks, viaduct driveways to the packing houses and the yard master's office. The damage is \$100,000. All the stock



# OF AN INSANE PATIENT

"You know," suggested The Star re- Court's Decision Favors the cases. District in Case of Frank Healy.

> Columbia, under the indigent insane act comes into an estate, any expense to his maintenance, Justice Gould in Equity Frank Healy to pay the claim of \$3,941.15, made by the District, for the care of the Government Hospital for the In- ejectment.

Adjudged Insane in 1893. Healy was adjudged insane February Attorneys D. W. Baker and C. W. Darr, schools wil be laid before Dr. Davidson. of the insane man was responsible for "If he suggests any change, the likeli- only three years' back board bill. The and house, In deciding in favor of the municicertainly going to get the best we have." pality Justice Gould said the statute "What was it that induced you to referred to covered the case, but even come to Washington in the face of big in the absence of a statute he would offers in the west?" Dr. Davidson was hold, under the inherent right in an equity court to handle the estate of an insane person in its discretion, that the

> Appeal Noted. Attorney Frank J. Hogan, for the committee, noted an appeal and secured per-

Assistant Corporation Counsel Duvall,

are as many as thirty or forty similar cases which will be governed by this decision. This number of "indigent" insane persons own property, he says, and at-tempts will be made by the District to collect from the committees in all

#### MOB ATTACKS PRIEST. Sicilians Were Refused Permit to

CLEVELAND, Ohio, June 26.-Because they were refused permission to several hundred Sicilians, members of ed the residence of their pastor, Rev.

Carry Statue in Parade.

16, 1893, as a pauper. Last Christmas statue a quartet of the delegation about \$19,000. night his brother, Dr. James Healy, a which made the demand went into the for 931 weeks' board at \$4.23 per week. to have refused. Then the attack on which will make a total of 40 per cent. The committee of the insane brother, the house was made. By the time the police had restored order sveral thoudeclined to pay, holding that the estate sand of the foreign-born residents had gathered in front of the church Father Haley was only recently ap-

#### Gets Money Due 25 Years Ago. NEW YORK, June 26.-Gen. Edwin W.

pointed to the pastorate.

DR. WILLIAM M. DAVIDSON.

ago, has received an anonymous letter inclosing a two-dollar bill and 25 cents in stamps. The writer says the money represents "Bal of feed bill." He expresses regret at having kept Gen. Hine waiting so long for the sum.

## DEPOSITORS TO RECOVER ABOUT FORTY PER CEN

#### Decree in the Case of the Defunct Virginia Safe Deposit and Trust Company.

ALEXANDRIA, Va., June 26.-The take a statue from the Holy Rosary creditors of the Virginia Safe Deposit and Catholic Church to display in a proces- Trust Corporation will receive 20 per cent in criticising the policy of former heads sion yesterday afternoon, a crowd of of their deposits by September 15 next, of the War Department and the military according to a decree entered by Judge establishment that had permitted the carthe church, attacked and partly wreck- L. C. Barley in the corporation court this rying out of this policy, but finally demorning on the exceptions filed to the Wood also spoke of local influence as an Francis J. Haley, in an effort to eject report of John M. Johnson, special com- embarrassment to the department in its him from the house. The prompt ar- missioner in the case of T. J. Fannon efforts to abolish many of the existing hearing will be before Justice Wright, Healy for more than seventeen years in rival of forty policemen prevented the and others against the defunct concern. Posts. The Sicilians were celebrating St. possession and the proven claims amount John the Baptist's day. After they had to \$534,000. After paying 20 per cent on been told they could not take the the proven claims, they will have left

The real estate of the defunct conlocal druggist, died, leaving an estate of church and carried out the statue. cern is said to be worth about \$100,000. on time was concerned. There was no verse to the respondents will pass sen-Dr. Davidson says he is not going to 200,000, of which the insane brother is Later they asked Father Haley to join When this is sold the creditors probably delay on the part of the troops, but we tence. sole heir. The District presented a claim them in the celebration, and he is said will receive another 20 per cent dividend, for 931 weeks' board at \$4.23 per week. to have refused. Then the attack on which will make a total of 40 per cent notice and in some cases there was a Commissioners Named.

> morning Judge Barley appoints S. G. tion?" Mr. Helm inquired. Brent, J. G. Hiden, H. W. Smith, G. L. Boothe and R. C. L. Moncure special commissioners for the purpose of selling the property of the concern either at public auction or private sale, subject to the

confirmation of the court, and they gave Italian Had Beaten Woman to Death bond in the sum of \$25,000. It is dihay and grain business twenty-five years rected that they shall turn all money and notes over to the receivers as fast as they come into the hands of the commissioners. The court suspended for sixty days the

The court in its decree sustained the READY TO TAKE CHARGE OF SCHOOLS exceptions of the commonwealth and alwhich was with the defunct concern at he time of its collapse. The court also sustained the exceptions

of W. H. Broughton, J. K. M Norton and port on the claim of W. A. Bickers' estate, declaring that the same was not a preferred claim, but shall come in as a general creditor, which amounts to Exceptions Are Overruled.

The court overruled the exceptions of the American National Bank of Wash-

ions of C. J. Rixey until the September ing. The Church of San Francisco, in The petition of H. H. Miller was con- was filled with prelates, priests and lay tinued until the July term of court, as delegates from all nations. At solemn formed the basis of the former conwere also the exceptions of the Second special services there were discourses National Bank of Culpeper and the Dis-by the papal legate and the Bushop of trict National Bank of Washington. It is set forth in the decree that there is nothing in the commissioner's report delegations, and arrangements have decree. The committee has no additionor decree that shall affect the alleged liability of the directors of the defunct congress the same brilliancy that

### BODIES FOUND IN RIVER.

Vaudeville Actress and Her Lover Drowned in the Ohio.

CINCINNATI, Ohio, June 26 .- Anna since Thursday night, were found in the Ohio river yesterday. Miss Kees was known on the vaudeville stage as Bonnia Sunday, a former base ball player and submitting to the court the form of a rule Kees and Albert J. Handtman, missing known on the vaudeville stage as Bonnie Sunday, a former base ball player, over to show cause why they should not be Hampton. Handtman was a young club- 1,000 persons have been converted, 200 so adjudged."

years, and it was believed they had eloped, but following the finding of the overturned launch, searching parties dragged the river and found the bodies hours. clasped in each other's arms.

It is believed the launch struck a coal barge and upset.

Mr. Sunday's text for the meeting last back to December 18, 1907, crowded into the church to hear him. barge and upset.

### WILL RESULT IN ECONOM' Gen. Wood Discusses Matter Before House Committee.

Number of Army Posts to Be

Reduced One-Half.

#### SMALL STATIONS UNDESIRABLE

Chief of Staff Calls Texas Maneuvers Successful as Mobilization of

Skeleton Force.

The War Department is preparing reduce the number of army posts in the United States by one-half, according to Rule Is Returnable July 17, But Maj. Gen. Leonard Wood, chief of staff of the army, who was a witness today before the House committee on expenditures in the War Department. This is in line with the policy of concentration of the armed land forces of the United States, which has been worked out by the Army War College and eventually, Gen. Wood said, will result in economy. But, owing to what he called the "ill-ad- of the District of Columbia today cited vised" location of army posts in past for alleged contempt of court Samuel years and the continuing expenditure of Gompers, president of the American Fedmoney on them, it appeared to the com- eration of Labor; John Mitchell, one of mittee as if, initially, the government its vice presidents, and Frank Morrison, will have to abandon millions of dollars' secretary of the federation. They are worth of property if the general staff required by the court's order to show plan is carried out.

Commenting on the recent activity of United States troops along the Mexican frontier, Gen. Wood said that the proposition, as a mobilization of a skeleton

#### Committee Is Interested.

The committee, of which Representative

Harvey Helm of Kentucky, is chairman, seemed much interested in Gen. Wood's Louis, Mo., had been violated. comments on small and large garrisons and in the department's plan to abolish one-half of the existing army posts. "Scattered small garrisons," said Gen. Wood, "have rendered the instruction of of troops practically impossible reasons, the chief of staff said. One of the main objections was that at a small post a large percentage of the men were Mitchell and Morrison.

always busy cleaning up and doing police aging both to officers and men. At a the basis of the previous adjudication, and he company, an officer who can turn out court at great length. Mr. Go twenty-five for drill is fortunate. So the treated in the report as the chief offender,

Gen. Wood explained that by a "small around the country in this way. The War Department was considerably embarrased in making plans for the abandonment of many of these posts, Gen. Wood said, by the fact that a great deal of money had been spent on them in recent years. He displayed hesitancy

### Maneuvers Along Border.

"Were the Texas maneuvres a success

getting the regular regiments to the front court, and in the event of a finding addelay in getting cars to transport the

"Did the mobilization demonstrate the In the decree which was entered this lack of 'team work' in the army organiza- that its decrees be given entire obedience "No," Gen. Wood replied, "everything went very smoothly.'

## DIES IN ELECTRIC CHAIR.

With a Stove Lifter. AUBURN, N. Y., June 26 .- Joseph

Naco, who was an Italian, and came lowed the commonwealth preference on to America six years ago, confessed acts, statements and publications above the deposit of T. W. Robinson, city his crime to his spiritual advisers, set forth, the said Samuel Gompers asreasurer, which amounted to \$18,000. Fathers Rebotti and Hickey, this morning. According to his story, Naco that the injunction was not binding upon quarreled with Mrs. Candiana when he him because of what he claimed to found she had a husband living, al- his constitutional right of free speech though he himself had a wife in Italy. and a free press; and it may be Howard W. Smith, receivers, to the re- He beat the woman to death with a now that this contention upon his part stove lifter.

### WELCOMED TO MADRID.

King's Delegate Makes Address at necessary purpose of Opening of Eucharistic Congress. MADRID, June 26 .- Spain officially mission not be forthcoming, after due ington, but allowed \$89 as a preferred welcomed the twenty-second interclaim, and also overruled the claim of St. Paul's Guild of Charlottesville, and continued the arguments on the excep-

> which the proceedings are being held. Namur. Every train is bringing in additional

### OVER 1,000 CONVERTED.

Rev. "Billy" Sunday's Successful Religious Revival at Erie, Pa.

man and athlete of this city.

Handtman took Miss Kees out for a ride in a launch Thursday night. The disappearance of the two was not known until Saturday, when Miss Kees' mother reported the absence of her daughter to the police. The two had been friends for the police. The two had been friends for campaign against sin. Following the labor leaders by July 8.

## FOR FEW GARRISONS UNION CHIEFS FACE **NEW JAIL DECREE**

Gompers, Mitchell and Morrison Again Cited for Alleged Contempt of Court.

### REPORT OF COMMITTEE **MAKES MANY CHARGES**

Gompers Held Chief Offender in Defiance of the Court.

TRIAL BEFORE FULL BENCH

Hearing Probably Will Go Over Until Some Time in the Fall.

Justice Wright of the Supreme Court cause Monday, July 17, why they shall

force, was a success, but as a mobiliza- seph J. Darlington of the local bar, Dantion of a war-strength division was a jel Davenport of Bridgeport, Conn., and failure. There had been, he said, no adequate preparation for reserve war sup the committee appointed May 16 last by Justice Wright to investigate the charge that the injunction granted by the District Supreme Court in favor of the Buck's Stove and Range Company of St.

#### Report a Lengthy One.

The appointment of the committee of lawyers followed the decision of the Supreme Court of the United States setting officers in the command of large bodies aside a previous adjudication in contempt by the District court and a sentence of Small posts were undesirable for many jail imprisonment of twelve, nine and six months, respectively, against Gompers,

The committee's report, filed with Ju duty.

"This condition," he said, "is discourviolations by the accused which formed battalion post, with sixty-five men to supplements the alleged contempts of small post is undesirable, not only from and as many as twenty-two pages of type an economic standpoint, but also from writing are required to set forth the de-the standpoint of straight military efficipost" he meant a post of less than one of the court's injunction against the pubregiment, and added that by far the lication of the Missouri corporation's greater part of the army was scattered name on the unfair list in the American Federationist and against boycotting the company's product. The charges against Mitchell and Morrison are covered in twenty-seven pages in all.

### Hearing Before Full Court.

Although an early date has been set for the filing of the answers of the labor leaders to the contempt rule, there will be no hearing of the matter until fall, when the District Supreme Court convenes for the October term. While technically the holding Equity Court No. 2, the entire membership of the court will be present. Chief Justice Clabaugh and Associate Jus-tices Barnard, Anderson, Gould and Stafford will sit with Justice Wright during the taking of the testimony and throughout the arguments of counsel. Justice Wright will deliver the opinion of the

case of alleged contempt is important in establishing and maintaining the dignity of the court, and as showing the necessity and be not violated even in spirit. With this view they have determined to suspend the operations of their several courts during the time necessary to hear this

#### matter of alleged contempt. Thought They Were Privileged.

After setting forth the acts and speeches claims are violations of the courts order. Naco was put to death in the electric suggestion is made that the labor leadchair in Auburn prison today for the ers acted under what they considered a operation of the decree so far as the murder, January 16, 1909, of Anna privilege allowed them by the Constitution Bickers claim is concerned, in order to Candiana, with whom he had been liv- of the United States. The report on Mr. allow the beneficiaries time to take an ing for some time. Three contacts were Gompers concludes, as do the findings given before the physicians pronounced against Mitchell and Morrison, in thes

serted, and it may be he then believed, has been determined by the Supreme Court of the United States to be unfounded, he may be prepared to make such due acknowledgment, apology and assurance of future submission to the court as may sufficiently answer the thority and that of the law. Should such acknowledgment, apology and subnotice and opportunity, the course neces-

#### continued the arguments on the excep- Don Carlos to make a speech of greet- the court for its consideration." Additional Offenses Charged.

In addition to the charges which tempt proceeding, the committee charges both Gompers and Mitchell with added violation of the court's marked the gathering at Montreal last rison.

Attorney J. J. Darlington, chairman of the investigating committee, came before Justice Wright this morning in open court and presented the report. He said: "May it please the court, in the matter of Samuel Gompers, Frank Morrison and John Mitchell I am directed by the committee to present its report finding that there is ERIE, Pa., June 26 .- As a result of reasonable cause to charge each of

Charges Against Gompers The violation of the decree as charged by the committee against Gompers dates

Marble.

Claims Without Legal Standing.